

Sector



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July 11, 2001

FILE: DEKA:276US

CERTIFICATE OF MAILING 37 C.F.R 1.8	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, DC 20231, on the date below:	
July 11, 2001	
Date	Mark B. Wilson

**BOX MISSING PARTS**  
Commissioner for Patents  
Washington, DC 20231

RE: *SN 09/772,520 "PLANTS AND SEEDS OF CORN VARIETY I026458" - Francis L. Garing (Client Reference: [34-63(52321)])*

Sir:

Please find enclosed:

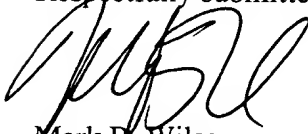
- (1) A Response to Notice to File Missing Parts of Nonprovisional Application filed under 37 C.F.R. 1.53(b) mailed May 23, 2001;
- (2) Declaration executed by Francis L. Garing;
- (3) Power of Attorney;
- (4) Copy of Notice to File Missing Parts of Nonprovisional Application filed under 37 C.F.R. 1.53(b)-Filing Date Granted;
- (5) Information Disclosure Statement;
- (6) Form PTO-1449;
- (7) Copies of references A1-A24, B1, and C1-C38;
- (8) Check in the amount of \$1438.00; and

Commissioner for Patents  
July 11, 2001  
Page 2

- (9) A return postcard to acknowledge receipt of these materials. Please date stamp and mail this postcard.

If the check is inadvertently omitted, or the amount is insufficient, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski Deposit Account No.: 50-1212/10026977/MBW.

Respectfully submitted,



Mark B. Wilson  
Reg. No. 37,259

MBW/mar

Encl: as noted



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:  
Francis L. Garing

Serial No.: 09/772,520

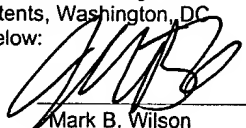
Filed: January 29, 2001

For: PLANTS AND SEEDS OF CORN  
VARIETY I026458

Group Art Unit: 1638

Examiner: Unknown

Atty. Dkt. No.: DEKA:276US/MBW

CERTIFICATE OF MAILING 37 C.F.R. 1.8	
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July 11, 2001	
Date	Mark B. Wilson

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL  
APPLICATION FILED UNDER 37 C.F.R. 1.53(b)**

**BOX MISSING PARTS**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application Under 37 C.F.R. § 1.53(b), dated May 23, 2001, there are enclosed herewith:

- (a) Declaration executed on behalf of Francis L. Garing;
- (b) A Power of Attorney on behalf of DEKALB GENETICS CORPORATION;
- (c) Our check in the amount of \$1438.00 to cover the basic filing fee (\$710.00 - utility large entity); surcharge for late filing (\$130.00) additional claims fee (\$598.00); and


- (d) A copy of Notice to File Missing Parts of Nonprovisional Application Filed Under 37 C.F.R. 1.53(b)-Filing Date Granted.

An Assignment to DEKALB GENETICS CORPORATION and a check for \$40.00 are being filed under separate cover.

If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski Deposit Account No.: 50-1212/10026977/MBW.

Please date stamp and return the accompanying postcard to evidence receipt of these documents.

Respectfully submitted,



Mark B. Wilson  
Reg. No. 37,259  
Attorney for Applicant

FULBRIGHT & JAWORSKI L.L.P.  
600 Congress Avenue, Suite 2400  
Austin, Texas 78701  
(512) 474-5201

Date: July 11, 2001

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## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/772,520	01/29/2001	Francis L. Garing	DEKA:276US 10026977

CONFIRMATION NO. 9753

## FORMALITIES LETTER



\*OC000000006109450\*

ULBRIGHT & JAWORSKI L.L.P.  
A REGISTERED LIMITED LIABILITY PARTNERSHIP  
SUITE 2400  
600 CONGRESS AVENUE  
AUSTIN, TX 78701

Date Mailed: 05/23/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$598.
  - \$198 for 11 total claims over 20.
  - \$400 for 5 independent claims over 3.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1438.

07/16/2001 SSANDARA 00000006 09772520

01 FC:101	710.00 OP
02 FC:102	400.00 OP
03 FC:103	198.00 OP
04 FC:105	130.00 OP

copy of this notice **MUST** be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

